

Docket No.: 50193-141

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

FRIEND, STEPHEN H., et al.

Application No.: 09/847,588

Filed: May 03, 2001

Customer Number: 20277

Confirmation Number: 7335

Group Art Unit: 1636

Examiner: LEFFERS JR., Gerald G.

For: PHARMACEUTICALLY TRACTABLE SECONDARY DRUG TARGETS, METHODS OF IDENTIFICATION AND THEIR USE IN THE CREATION OF SMALL MOLECULE THERAPEUTICS

**RESPONSE TO NOTICE OF NON-COMPLIANT
AMENDMENT (37 C.F.R. §1.121)**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the October 14, 2004 Notice of Non-Compliant Amendment (37 C.F.R. §1.121), submitted herewith is a complete listing of all of the claims and their proper status identifiers. Favorable re-consideration is solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

J. Toffenetti
Judith L. Toffenetti
Registration No. 39,048

600 13th Street, N.W.
Washington, DC 20005-3096
202.756.8000 JLT:ajb
Facsimile: 202.756.8087
Date: October 27, 2004